

App. Serial No.: 10/784,102
Atty. Docket No.: 0025-013

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REMARKS

These remarks are in response to the Office Action dated November 24, 2006, which has a shortened statutory period for response set to expire February 24, 2007. A two-month extension, to expire April 24, 2007, is requested in a petition filed herewith.

Specification

The specification is amended to correct minor clerical errors. No new matter is entered.

Claims

Claims 1-39 are pending in the above-identified application. Claim 27 is objected to, and Claims 1-39 are rejected over prior art. Claims 9-12, 14, 27, 31, 35, and 38-39 are amended, and Claims 40-48 are added. Claims 1-8, 13, 15-26, 28-30, 32-34, and 36-37 remain as filed. Reconsideration is requested.

Claim Objections

Claim 27 is objected to due to a grammatical error and is amended herein as suggested by the Examiner. Withdrawal of the objection is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-28 and 30-39 are rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent No. 7,009,654.

Applicants respectfully traverse.

The standard for anticipation is set forth in M.P.E.P. § 2131 as follows:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

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Claims 1-8 and 46:

As originally filed, Claim 1 recites (in part): "a molding formed on the integrated circuit chip for holding the lens" (emphasis added). Kuno et al. does not disclose that the holder 4 is "formed on" the image pickup element 1. Rather, the components of the cited reference appear to be preformed components that are assembled. In particular, the image pickup element 1 is mounted to the holder 4. See, for example, Col. 6, line 63 to Col. 7, line 27, which provides in part:

Bonding the sensor supporting plate 6 to the holder 4 and the image pickup element 1 allows the image pickup element 1 to be fixed with a surface area other than the image region 1a pressed against the surfaces of the projections 4a. (Col. 7, lines 23-27)

Thus, holder 4 is not "formed on" pickup element 1.

Because the cited reference does not disclose "a molding formed on the integrated circuit chip for holding the lens," the reference does not anticipate Claim 1. Claims 2-8 and new Claim 46 depend, either directly or indirectly, from Claim 1 and are, therefore, distinguished from the cited prior art for at least the reasons provided above with respect to Claim 1.

Claims 9-16 and 47:

As amended herein, Claim 9 recites (in part): "a holder formed at least partially on the camera integrated circuit." Claim 9 is, therefore, distinguishable over the cited reference for at least the same reason as set forth above with respect to Claim 1. Claims 10-16 and new Claim 47 depend, either directly or indirectly, from Claim 9 and are, therefore, distinguished from the cited reference for at least the same reason.

Claims 17-26, and 40-45:

As originally filed, Claim 17 recites (in part): "molding a receptacle over an integrated circuit." Claim 17 is, therefore, distinguishable over the cited reference for at least the same reason as set forth above with respect to Claim 1. Claims 18-26 and new Claims 40-45 depend, either directly or indirectly, from Claim 17 and are, therefore, distinguished from the cited reference for at least the same reason.

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Claims 27-38 and 48:

As amended herein, Claim 27 now recites (in part): "a lens assembly receiving apparatus formed integrally on the integrated circuit camera apparatus." Claim 27 is, therefore, distinguishable over the cited reference for at least the same reason as set forth above with respect to Claim 1. Claims 28-38 and new Claim 48 depend, either directly or indirectly, from Claim 27 and are, therefore, distinguished from the cited reference for at least the same reason.

Claim 39:

As amended herein, Claim 39 now recites (in part): "said means for holding the lens including a molded component formed on the camera integrated circuit chip." Claim 39 is, therefore, distinguishable over the cited reference for at least the same reason as set forth above with respect to Claim 1.

For the above reasons Applicants request reconsideration and withdrawal of the rejections under 35 U.S.C. § 102.

Rejections Under 35 U.S.C. § 103

Claim 29 is rejected under 35 U.S.C. § 103 as being unpatentable over Kuno et al. in view of U.S. Pre-Grant Publication 2004/0109079 (Fujimoto et al.). Applicant respectfully asserts that the amendment to Claim 27 made herein overcomes this rejection.

In order to establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. M.P.E.P. §2143.

Neither of the cited references disclose "a lens assembly receiving apparatus formed integrally on the integrated circuit camera apparatus," as recited in Claim 27. Claim 29 depends from Claim 27 and, therefore, also includes this limitation. Therefore, no prima facie case of obviousness is established with respect to Claim 29.

For the above reasons Applicants request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103.

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For the foregoing reasons, Applicants believe Claims 1-48 are in condition for allowance. Should the Examiner undertake any action other than allowance of Claims 1-48, or if the Examiner has any questions or suggestions for expediting the prosecution of this application, the Examiner is requested to contact Applicants' attorney at (269) 279-8820.

Respectfully submitted,

Date: 4/24/07

Larry E. Henneman, Jr.

Larry E. Henneman, Jr., Reg. No. 41,063
Attorney for Applicant(s)
Henneman & Associates, PLC
714 W. Michigan Ave.
Three Rivers, MI 49093

CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via facsimile, on the date shown below, to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at (571) 273-8300.

Date: 4/24/07

Larry E. Henneman, Jr.

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